higher education institution to grow or cultivate industrial hemp under Subsection 4-41-103(1).

[~~(4)~~] (6) "Industrial hemp certificate holder" means a person possessing an industrial hemp certificate that the department issues under this chapter.

[~~(5)~~] (7) "Industrial hemp laboratory permit" means a permit that the department issues to a laboratory qualified to test industrial hemp under the state hemp production plan.

[~~(6)~~] (8) "Industrial hemp producer license" means a license that the department issues to a person for the purpose of cultivating or processing industrial hemp or an industrial hemp product.

[~~(7)~~] (9) "Industrial hemp retailer permit" means a permit that the department issues to a retailer who sells any industrial hemp product.

[~~(8)~~] (10) "Industrial hemp product" means a product derived from, or made by, processing industrial hemp plants or industrial hemp parts.

[~~(9)~~] (11) "Laboratory permittee" means a person possessing an industrial hemp laboratory permit that the department issues under this chapter.

[~~(10)~~] (12) "Licensee" means a person possessing an industrial hemp producer license that the department issues under this chapter.

[~~(11)~~] (13) "Medicinal dosage form" means:

(a) a tablet;

(b) a capsule;

(c) a concentrated oil;

(d) a liquid suspension that Ŝ→ **, after December 1, 2022,** ←Ŝ does not exceed 30ml;

(e) a sublingual preparation;

(f) a topical preparation;

(g) a transdermal preparation;

(h) a gelatinous cube, gelatinous rectangular cuboid, or lozenge in a cube or rectangular cuboid shape; or

(i) other preparations that the department approves.

[~~(12)~~] (14) "Non-compliant material" means:

(a) a hemp plant [~~or hemp product~~] that does not comply with this chapter, including a cannabis plant [~~or product that contains~~] with a concentration of 0.3% tetrahydrocannabinol or greater by dry weight[~~.~~]; and

(b) a cannabinoid product, chemical, or compound with a concentration that exceeds the cannabinoid product THC level.

[~~(13)~~] (15) "Permittee" means a person possessing a permit that the department issues under this chapter.

[~~(14)~~] (16) "Person" means:

(a) an individual, partnership, association, firm, trust, limited liability company, or corporation; and

(b) an agent or employee of an individual, partnership, association, firm, trust, limited liability company, or corporation.

[~~(15)~~] (17) "Research pilot program" means a program conducted by the department in collaboration with at least one licensee to study methods of cultivating, processing, or marketing industrial hemp.

[~~(16)~~] (18) "Retailer permittee" means a person possessing an industrial hemp retailer permit that the department issues under this chapter.

[~~(17)~~] (19) "State hemp production plan" means a plan submitted by the state to, and approved by, the United States Department of Agriculture in accordance with 7 C.F.R. Chapter 990.

(20) "Tetrahydrocannabinol" or "THC" means **Ŝ➡ [~~a substance derived from cannabis or a synthetic cannabinoid equivalent as described in Subsection 58-37-4(2)(a)(iii)(AA)~~] delta-9-tetrahydrocannabinol, the cannabinoid identified as CAS# 1972-08-3 ⬅Ŝ** .

(21) (a) "THC analog" means a substance that is structurally or pharmacologically substantially similar to, or is represented as being similar to, delta-9-THC.

(b) "THC analog" does not include the following substances or the naturally occurring acid forms of the following substances:

(i) cannabichromene (CBC), the cannabinoid identified as CAS# 20675-51-8;

(ii) cannabicyclol (CBL), the cannabinoid identified as CAS# 21366-63-2;

(iii) cannabidiol (CBD), the cannabinoid identified as CAS# 13956-29-1;

(iv) cannabidivarol (CBDV), the cannabinoid identified as CAS# 24274-48-4;

(v) cannabielsoin (CBE), the cannabinoid identified as CAS# 52025-76-0;

(vi) cannabigerol (CBG), the cannabinoid identified as CAS# 25654-31-3;

(vii) cannabigerovarin (CBGV), the cannabinoid identified as CAS# 55824-11-8;

(viii) cannabinol (CBN), the cannabinoid identified as CAS# 521-35-7;

(ix) cannabivarin (CBV), the cannabinoid identified as CAS# 33745-21-0; or

(x) delta-9-tetrahydrocannabivarin (THCV), the cannabinoid identified as CAS# 31262-37-0.

(22) "Total tetrahydrocannabinol" or "total THC" means the sum of the determined amounts of delta-9-THC, tertrahydrocannabinolic acid, calculated as "total THC = delta-9 THC + (THCA x 0.877).".

Section 2. Section **4-41-103.3** is amended to read:

4-41-103.3. Industrial hemp retailer permit.

(1) [~~A~~] Except as provided in Subsection (4), a retailer permittee of the department may market or sell industrial hemp products.

(2) A person seeking an industrial hemp retailer permit shall provide to the department:

(a) the name of the person that is seeking to market or sell an industrial hemp product;

(b) the address of each location where the industrial hemp product will be sold; and

(c) written consent allowing a representative of the department to enter all premises where the person is selling an industrial hemp product for the purpose of:

(i) conducting a physical inspection; or

(ii) ensuring compliance with the requirements of this chapter.

(3) The department may set a fee in accordance with Subsection 4-2-103(2) for the application for an industrial hemp retailer permit.

(4) Ŝ→ **[~~A retailer permittee that markets~~] Any marketing for** ←Ŝ an industrial hemp product Ŝ→ **[~~or that sells an industrial hemp product~~]** ←Ŝ shall include Ŝ→ **[~~in any marketing~~]** ←Ŝ a notice to consumers that the product is hemp and is not cannabis or medical cannabis, as those terms are defined in Section 26-61a-102.

Section 3. Section **4-41-103.4** is amended to read:

4-41-103.4. Industrial hemp laboratory permit.

(1) The department or a laboratory permittee of the department may test industrial hemp and industrial hemp products.

(2) The department or a laboratory permittee of the department may dispose of non-compliant material.

(3) A laboratory seeking an industrial hemp laboratory permit shall:

(a) demonstrate to the department that:

any provision of this title.

Section 5. Section **4-41-402** is amended to read:

4-41-402. Cannabinoid sales and use authorized.

(1) The sale or use of a cannabinoid product is prohibited:

(a) except as provided in this chapter; or

(b) unless the United States Food and Drug Administration approves the product.

(2) The department shall keep a list of registered cannabinoid products that the department has determined, in accordance with Section 4-41-403, are safe for human consumption.

(3) (a) A person may sell or use a cannabinoid product that is in the list of registered cannabinoid products described in Subsection (2).

(b) An individual may use cannabidiol or a cannabidiol product that is not in the list of registered cannabinoid products described in Subsection (2) if:

(i) the individual purchased the product outside the state; and

(ii) the product's contents do not violate Title 58, Chapter 37, Utah Controlled Substances Act.

(4) Ŝ→ **[~~A person~~]** **Any** ←Ŝ marketing Ŝ→ **for** ←Ŝ a cannabinoid product Ŝ→ **[~~or selling a cannabinoid product~~]** ←Ŝ shall include Ŝ→ **[~~in any marketing~~]** ←Ŝ a notice to consumers that the product is hemp or CBD and is not cannabis or medical cannabis, as those terms are defined in Section 26-61a-102.

Section 6. Section **4-41a-102** is amended to read:

4-41a-102. Definitions.

As used in this chapter:

(1) "Adulterant" means any poisonous or deleterious substance in a quantity that may be injurious to health, including:

(a) pesticides;

(b) heavy metals;

(c) solvents;

(d) microbial life;

(e) toxins; or

(f) foreign matter.

(2) "Cannabinoid Product Board" means the Cannabinoid Product Board created in

[~~(38)~~] (36) "Medical cannabis shipment" means a shipment of medical cannabis or a medical cannabis product that a home delivery medical cannabis pharmacy or a medical cannabis courier delivers to a medical cannabis cardholder's home address to fulfill an electronic medical cannabis order that the state central patient portal facilitates.

[~~(39)~~] (37) "Medical cannabis treatment" means cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device.

[~~(40)~~] (38) (a) "Medicinal dosage form" means:

(i) for processed medical cannabis or a medical cannabis product, the following with a specific and consistent cannabinoid content:

(A) a tablet;

(B) a capsule;

(C) a concentrated liquid or viscous oil;

(D) a liquid suspension that **Ŝ→ , after December 1, 2022, ←Ŝ** does not exceed 30 ml;

(E) a topical preparation;

(F) a transdermal preparation;

(G) a sublingual preparation;

(H) a gelatinous cube, gelatinous rectangular cuboid, or lozenge in a cube or rectangular cuboid shape; [~~or~~]

(I) a resin or wax; or

(J) an aerosol; or

(ii) for unprocessed cannabis flower, a container described in Section 4-41a-602 that:

(A) contains cannabis flowers in a quantity that varies by no more than 10% from the stated weight at the time of packaging;

(B) at any time the medical cannabis cardholder transports or possesses the container in public, is contained within an opaque bag or box that the medical cannabis pharmacy provides; and

(C) is labeled with the container's content and weight, the date of purchase, the legal use termination date, and after December 31, 2020, a barcode that provides information connected to an inventory control system; and

(iii) a form measured in grams, milligrams, or milliliters.

(b) "Medicinal dosage form" includes a portion of unprocessed cannabis flower that: